

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
June 8, 2022
MINUTES**

Chairperson Kelley called the meeting to order at 5:30 p.m.

ROLL CALL:

Present: Cullin, Barr, Jahr and Kelley.

Excused: Budd and Atchinson.

Staff: Director Power and Secretary Harman.

Planning Representatives: McKenna Associates, Vidya Krishnan (remote).

Applicant(s) in Attendance: Rino Soave of Infinity Acquisitions, LLC.

Audience: Six (6) and Two (2) remote viewers.

APPROVAL OF AGENDA:

Motion Barr, Jahr second to approve the agenda of June 8, 2022 as presented. **Motion Carried.**

APPROVAL OF MINUTES:

Motion Cullin, Barr second to approve the regular meeting minutes of May 25, 2022 as presented.

Motion Carried.

PUBLIC HEARING:

ITEM #1: COBBLESTONE CREEK PHASE IV REVISION – PUBLIC HEARING.

A REQUEST BY APPLICANT INFINITY ACQUISITIONS, LLC FOR PRELIMINARY APPROVAL TO AMEND A PHASE OF ATTACHED CONDOMINIUM HOUSING UNITS WITHIN THE 117.06-ACRE COBBLESTONE CREEK PLANNED RESIDENTIAL DEVELOPMENT (PRD) TITLED COBBLESTONE CREEK VILLAS IS CURRENTLY APPROVED TO INCLUDE 104 ATTACHED HOUSING UNITS IN 26 BUILDINGS. THE PROPOSED PRD AS AMENDED WILL INCLUDE 96 UNITS (INCLUDING 44 UNITS ALREADY CONSTRUCTED AND 52 UNITS PROPOSED) IN 25 BUILDINGS (INCLUDING 12 TWO-STORY BUILDINGS ALREADY CONSTRUCTED AND 13 SINGLE-STORY BUILDINGS PROPOSED). A PUBLIC HEARING REQUEST IS REQUIRED FOR A SPECIAL LAND USE, AS THE REQUEST IS TO BE REVIEWED AS A SPECIAL LAND USE PER SECTIONS 6.221(A), 6.119 AND ARTICLE 12, CHAPTER 6 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE. THE SITE IS ZONED R-1A (SINGLE FAMILY RESIDENTIAL DISTRICT).

THE SITE IS LOCATED ON THE SOUTH SIDE OF HURON RIVER DRIVE, EAST OF HOEFT ROAD. THE AREA SUBJECT TO THIS REQUEST INCLUDES 6.88 ACRES LOCATED ON CHINKAPIN DRIVE AND PINEWOOD LANE BETWEEN 13687 PINEWOOD LANE (PARCEL ID NUMBER V-125-83-114-02-0067-000) AND 13957 CHINKAPIN DRIVE (PARCEL ID NUMBER V-125-83-114-02-0028-000).

Director Power summarized the applicant's request prior to the opening of the public hearing. The applicant is requesting preliminary approval to amend a phase of attached condominium housing units in the Cobblestone Creek Planned Resident Development (PRD), Cobblestone Creek

Villas. The site is zoned R-1A (Single Family Residential) and is located on the south side of Huron River Drive, east of Hoeft Road. The area of the request 6.88 acres of the 117.06-acre PRD. The public was invited to speak during the public hearing.

Motion Jahr, Cullin second to open the public hearing. Motion Carried.

Resident informed that the applicant solicited help from the current residents of the Cobblestone Creek Villas. Resident is on the Homeowner's Association Board, supports the applicants request and would like to see the development move forward. The HOA Board has also reached out to the current residents and received two-thirds in support of the development.

No comments from remote viewers.

Motion Barr, Cullin second to close the public hearing. Motion Carried.

NEW BUSINESS:

ITEM #1: COBBLESTONE CREEK PHASE IV VILLAS REVISION – SPECIAL LAND USE REVIEW.

A REQUEST BY APPLICANT INFINITY ACQUISITIONS, LLC FOR PRELIMINARY APPROVAL TO AMEND A PHASE OF ATTACHED CONDOMINIUM HOUSING UNITS WITHIN THE 117.06-ACRE COBBLESTONE CREEK PLANNED RESIDENTIAL DEVELOPMENT (PRD) TITLED COBBLESTONE CREEK VILLAS. THE REQUEST IS TO BE REVIEWED AS A SPECIAL LAND USE PER SECTIONS 6.221(A), 6.119 AND ARTICLE 12, CHAPTER 6 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE.

THE SITE IS LOCATED ON THE SOUTH SIDE OF HURON RIVER DRIVE, EAST OF HOEFT ROAD. THE AREA SUBJECT TO THIS REQUEST INCLUDES 6.88 ACRES LOCATED ON CHINKAPIN DRIVE AND PINEWOOD LANE BETWEEN 13687 PINEWOOD LANE (PARCEL ID NUMBER V-125-83-114-02-0067-000) AND 13957 CHINKAPIN DRIVE (PARCEL ID NUMBER V-125-83-114-02-0028-000).

Director Power gave a brief presentation. At this time there are a series of significant comments that need to be addressed including limits on the ability to create the new phase, bonding, Planned Residential Development (PRD) modification requirements. The plan is in progress however items will need to be addressed prior to recommending approval, the review will come back to the Commission at a later meeting. Director Power deferred to Planning Consultant Vidya Krishnan and the applicant, Rino Soave for their presentations.

Vidya Krishnan of McKenna Associates summarized her review letter dated 5-11-22. Infinity Homes is seeking to amend an existing PRD agreement for Cobblestone Creek Condominiums. The original condominium project received site plan and PRD approval in 2004 for the construction of a total of 258 units. Infinity Homes is proposing to add several structures to the development. Per sections 6.221 and 6.219 of the zoning ordinance, an amendment to a PRD shall be processed in the same manner as a special land use. The Cobble Stone Creek PRD was originally approved in 2004; however due to the housing recession in 2008, the development was never completed. The attached dwelling unit's portion of the site to be constructed as Phase II remained unfinished with only 12 of 26 buildings completed. The street network was laid out,

but the sidewalk network, landscaping and other site design elements remained incomplete. The proposed amended PRD aims to complete the development by constructing 52 units within 13 additional buildings. The proposed PRD amendment use will promote the use of the land in a socially and economically desirable manner by providing for a different style of housing in the Township. The completing of the remaining site improvements (sidewalk connections, utilities, landscaping enhancements) will make the homes economically viable. There will be no trees removed for this development. Mrs. Krishnan explained the review process. At this time the general standards for the PRD amendment have been met, however as Director Power summarized the Planning Commission still has questions and there are still a lot of site plan details to be addressed prior to sending to the Board of Trustees for approval.

Applicant, Rino Soave of Infinity Homes gave his presentation. This is Infinity Acquisitions, LLC's third development in Van Buren Township and they are the owner of this project having purchased the property approximately six (6) months ago. Mr. Soave worked with the residents of Cobblestone Creek Villas for approximately 3-4 weeks looking at single family residential attached condominium housing units and in meeting with the residents Infinity Homes developed the plan. The proposed units are ranch style condominiums ranging from approximately 1,200 to 1,550 square feet and are a combination of 2 and 3 bedrooms. Mr. Soave was available to answer any questions.

Commissioners had the following questions and comments:

- The units were originally approved at 1,689 sq. ft. and they are being reduced to 1,266 sq. ft.? Yes, the style of the units have changed to meet market standards and to cater to demographics not looking to have stairs. There are not many ranch units in the Township and there is a need for a multi-family component.
- Will the 3 bedroom unit have a 2nd story? Yes, it will have a loft area with stairs.
- Commissioner inquired if the applicant shared the housing elevations with the neighboring homeowners associations? Yes, the applicant has. Commissioner drove through the neighborhood to see how it appears and commented that it is a beautiful neighborhood. The Commission wants to make sure that the development maintains that appearance and that the existing neighbors are happy.
- Commissioner thanked the adjoining homeowners association and neighbors for attending the meeting, it is nice to have them come out in support.

The current President of the homeowners association Board informed the Commission that they worked with Mr. Soave extensively and voted unanimously to support Mr. Soave and his project.

Motion Jahr, Cullin second to table New Business Item #1 Cobblestone Creek Phase IV Villas Revision, special land use review, until such a time as staff and the Planning Commission can review the recently submitted items.

Roll Call:

Yeas: Barr, Cullin, Jahr and Kelley.

Nays: None.

Excused: Budd and Atchinson.

Motion Carried.

ITEM #2: COBBLESTONE CREEK VILLAS REVISION – PRELIMINARY SITE PLAN REVIEW.

A REQUEST BY THE APPLICANT INFINITY ACQUISITIONS, LLC FOR PRELIMINARY APPROVAL TO AMEND A PHASE OF ATTACHED CONDOMINIUM HOUSING UNITS WITHIN THE 117.06-ACRE COBBLESTONE CREEK PLANNED RESIDENTIAL DEVELOPMENT (PRD) TITLED COBBLESTONE CREEK VILLAS. THE REQUEST IS SUBJECT TO PRELIMINARY AND FINAL CONDOMINIUM SITE PLAN RECOMMENDATIONS TO THE TOWNSHIP PLANNING COMMISSION AND BOARD OF TRUSTEES PER SECTIONS 6.104 AND 6.119 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE.

THE SITE IS ZONED R-1A (SINGLE FAMILY RESIDENTIAL DISTRICT) AND IS LOCATED ON THE SOUTH SIDE OF HURON RIVER DRIVE, EAST OF HOEFT ROAD. THE AREA SUBJECT TO THIS REQUEST INCLUDES 6.88 ACRES LOCATED ON CHINKAPIN DRIVE AND PINEWOOD LANE BETWEEN 13687 PINEWOOD LANE (PARCEL ID NUMBER V-125-83-114-02-0067-000) AND 13957 CHINKAPIN DRIVE (PARCEL ID NUMBER V-125-83-114-02-0028-000).

Director Power displayed the proposed site plan and deferred to Principal Planner Vidya Krishnan for her presentation.

Vidya Krishnan of McKenna Associates summarized the findings in her review letter dated 5-11-22. Infinity Homes is seeking to amend an existing PRD agreement for Cobblestone Creek Condominiums. The originally approved plan included 154 detached and 104 attached units for a total of 258 units. The 104 detached units were split into phases I and III spread out over 26 buildings, while the attached units were designated as phase III. At this time only 12 of the buildings with 44 units have been constructed. The applicant proposes to construct a total of 52 units within 13 buildings, reducing the overall density by 8 units. Mrs. Krishnan discussed the following site design items relative to amending the original PRD agreement that remain to be addressed:

1. Notation of the setback deviation being requested for buildings 4 and 5 with justification.
2. Submission of an amended Master Deed and Bylaws for review.
3. Clarification regarding landscape maintenance.
4. Addition of architectural gable vent to the front face of all units.
5. Submission of a plan showing the provision of side entry garages as recommended or a notation of a deviation with explanation for why compliance cannot be achieved.
6. Revised PRD agreement.

Rino Soave of Infinity Homes informed that with the modification of the PRD, the association has agreed to extracting the 52 proposed units out and to have two (2) homeowners associations, with a governing board with appointees to maintain each of them. Infinity Homes has agreed to the completion of the road repairs. Based on the design, to incorporate a side entry garage the applicant would have to enhance some of the architectural elements and reconfigure the site plan which may make the buildings larger and bring them over the setback lines. Mr. Soave inquired if there is any architectural element that they can add in place of the side entry garages and also informed that they should not have to go to Wayne County for review as they are reducing, not enlarging.

Vidya Krishnan of McKenna Associates suggested maybe a garage door that is textured or staining of the concrete driveway. Mr. Soave inquired if the textured door would be for every garage door or accenting and informed that he could provide options with concrete.

Director Power informed that the Planning Commission did receive all of the home elevations and suggested putting all items together when the Commission comes back for preliminary plan review. Mr. Soave inquired when the next meeting will be. Director Power informed Mr. Soave that after tonight's meeting staff has clear instructions and he will set up a meeting for submittal requirements and planning an engineering reviews.

Resident expressed concern with the accenting of garage doors. Also commented that a number of the existing 44 condominium units have shared driveways and have nowhere to park. In the new plan each unit has a separate driveway which will help to alleviate the parking problem. The homeowners association strives to keep uniform, resident wants to keep uniformity in relation to the garage doors. Resident feels the site plan put forward is a workable site plan and it's more important to have a workable site plan that is uniform, pleasing to the eye than it is to have a lot of aesthetics going into what type of driveway you're going to have. Commissioner inquired to the resident, his position is to ensure that each unit is as identical as possible, he doesn't want modifications on driveways, such as swirls or textures? Correct. Each unit has a separate driveway, each unit can park 2 cars in their driveway. In the front of the development, the shared driveways are parking 4 cars in the drive and on the street and it doesn't work. Commissioner commented in the design reviews there are ordinances and standards that we have flexibility on and one of the reasons to move to table is that some of the information we need to see more detail on as to what can we do under our PRD rules and what we cannot do, need to make sure that we get it right.

No questions or comments from the remote viewers.

Motion Jahr, Barr second to table New Business Item #2 Cobblestone Creek Villas Revision, until staff and the Planning Commission review of the following items are complete: the terms and amendments to the original PRD agreement document, the limits on creating a new phase for the public improvements of the previous phase are complete , bonding requirements for the project, eligibility for the new phase to use the overarching PRD agreement, the requested modifications are still in line with the full PRD agreement, the new condo documents including the Master Deed, Bylaws and the previous Master Deed need to be reviewed and included in the final PRD, the feasibility of side entry garages, also noting the concerns in the McKenna Associates review letter dated 5-11-22, Director Power's staff letter dated 6-3-22 and Fishbeck Associates review letter dated 6-3-22.

Roll Call:

Yeas: Cullin, Barr, Jahr and Kelley.

Nays: None.

Excused: Budd and Atchinson.

Motion Carried. (Letters Attached)

ITEM #3: EXTENSION REQUEST: 20-005 – PRELIMINARY SITE PLAN REQUEST FOR MOBIL GAS STATION REDEVELOPMENT AND DRIVE THRU.

A REQUEST BY NC DESIGNERS ON BEHALF OF OWNER IS REAL ESTATE LLC / BELLEVILLE OIL COMPANY, INC. FOR AN EXTENSION OF A PRELIMINARY SITE PLAN TO DEMOLISH BUILDINGS ON AN EXISTING GASOLINE STATION SITE AND TO CONSTRUCT A NEW CONVENIENCE STORE WITH RETAIL AND FOOD SERVICE, INCLUDING A DRIVE-THRU LANE AND ONE (1) DRIVE-THRU WINDOW, GASOLINE PUMPS AND RELATED SITE IMPROVEMENTS. APPROVAL WAS GRANTED ON MAY 12, 2021.

THE +/- 1.06-ACRE SITE, ZONED C-1 (GENERAL BUSINESS DISTRICT), IS LOCATED AT 11250 HAGGERTY ROAD (TAX PARCEL ID NUMBER 83-051-99-0003-002), AT THE NORTHWEST CORNER OF THE INTERSECTION OF THE I-94 NORTH SERVICE DRIVE AND HAGGERTY ROAD.

Director Power gave the presentation, the applicant was not present for the meeting. NC Designers on behalf of the owner IS Real Estate / Belleville Oil Company brought forth a request for an extension of the preliminary site plan approval granted on May 12, 2021. The project has been delayed due to unforeseen circumstances, the passing of the Principal Engineer to the project and delays due to the back up of work at Wayne County. The applicant's intent is to move quickly to complete all work necessary to start construction of the project. Director Power will need a motion from the Commission to accept an extension of up to one (1) year.

Commissioner inquired how long of an extension, does the request require an extension of the special land use approval and what time frame is the applicant looking at to begin construction? Director Power confirmed that the extension is a one (1) year extension, the applicant is picking up where they left off on the project. The special land use approval is tied to the preliminary site plan approval, no additional request is needed. Director Power is unsure of the applicant's desired time frame for construction, he will reach out the applicant for more information.

No comments from the audience or remote viewers.

Motion Barr, Jahr second to grant NC Designers a one (1) year extension to the preliminary site plan approved on May 12, 2021 to demolish buildings on an existing gasoline station site and to construct a new convenience store with retail and food service, including a drive-thru lane and one (1) drive thru window, gasoline pumps and related site improvements, located at 11250 Haggerty Road.

Roll Call:

Yeas: Cullin, Barr, Jahr and Kelley.

Nays: None.

Excused: Budd and Atchinson.

Motion Carried.

ITEM #4: DISCUSSION: GASOLINE FILLING STATION AND GASOLINE SERVICE STATION ZONING ORDINANCE TEXT AMENDMENT.

Director Power gave a brief presentation. The Planning Consultant has provided draft Zoning Ordinance amendment language based on the feedback received at the April 27, 2022 meeting. Director Power deferred the presentation to Vidya Krishnan of McKenna Associates.

Vidya Krishnan of McKenna Associates presented her letter dated 5-24-22. McKenna Associates presented a text amendment which included a reference to EV (Electric Vehicle) charging stations. The Planning Commission expressed concern about handicap accessibility being affected, pedestrian walkways being blocked, long duration of parking at these spots and the possibility of a row of EV charging stations on a site and directed McKenna Associates to look into the subject further. Upon further research, EV charging stations may need an ordinance to regulate them separately from gasoline filling stations. McKenna has collected information and hopes to present it as a separate text amendment in the future. At this time the amendment is limited to gasoline filling stations only and the following are the proposed changes:

1. §3.111. C-1, General Business District, sub-section (B) Permitted Uses; move gasoline filling stations to sub-section (C) Special Land Uses.
2. §3.111. C-2, Extensive Highway Business District, making change to C-1 district will automatically move gasoline filling stations from sub-section (B) Permitted Uses to sub-section (C) Special Land Uses.
3. §3.111. FS, Freeway Service District, sub-section (B) Permitted Uses; move gasoline filling stations to subsection (C) Special Land Uses.
4. New Section 5.144. Gasoline or Automobile Filling Stations under Article 5. Development Standards for Specific Uses.

The item is on the Planning Commission's agenda to schedule a public hearing, prior to making a recommendation to the Township Board of Trustees.

Commissioners agreed they are ready to schedule the public hearing.

No comments from the audience or remote viewers.

Motion Jahr, Cullin second schedule the public hearing for the Gasoline Filling and Gasoline Service Station Zoning Ordinance text amendment.

Roll Call:

Yeas: Barr, Culling, Jahr and Kelley.

Nays: None.

Excused: Budd and Atchinson.

Motion Carried.

ITEM #5: DISCUSSION: SUMPTER ROAD MIXED USE ZONING DISTRICT (SRMU) AND SUMPTER ROAD OVERLAY DISTRICT (SROD).

Director Power provided the Commission with the full revised version of the Sumpter Road Mixed Use Zoning District (SRMU) text amendment. There have been no changes since May 27, 2022. Director Power asked the Commission to continue their review of the SRMU text amendment and the Sumpter Road Overlay District (SROD). At the next open meeting slot available he will schedule review by the Planning Commission prior to scheduling the public hearing for both.

Commissioner inquired if there has been any additional feedback since the 5-25-22 meeting. Director Power informed that one of the residents present at the meeting had sought additional clarification. If he receives any other written correspondence, it will be sent to the Commission.

Commissioner commented that the SROD and SRMU is looking really good and inquired if there is a way to have a smaller agenda on the date of the next review in order to spend time working on the review of both items. Director Power informed that maybe at the June 22nd meeting or a later meeting there will be a smaller agenda.

Commission inquired if the changes are being released online, or in batched releases at later dates. Director Power confirmed that the changes are being release in batches and are posted online.

GENERAL DISCUSSION:

Director Power provided the Commission with a handout for an upcoming training webinar that Commission members can sign up for. Director Power encouraged Commissioners to look at the handout and let him know if they are interested and he will get them signed up.

Commissioner inquired about the Planning Commissions training requirements. Director Power informed that the requirements are two (2) training sessions for Planning Commission and four (4) hours for Board of Zoning Appeals (BZA). Commissioner would like information for the Citizen or Master Plan Certification Course, Director Power will circulate the information to the Commission.

ADJOURNMENT:

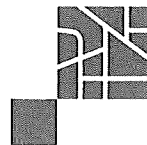
Motion Barr, Cullin second to adjourn the meeting at 6:48 p.m. Motion Carried.

Respectfully submitted,



Christina Harman

Recording Secretary



MCKENNA

May 11, 2022

Planning Commission
Charter Township of Van Buren
46425 Tyler Road
Belleville, Michigan 48111

**Subject: VBT-20-044 Cobblestone Creek Villas PRD Amendment Site Plan Review #2;
Revised Site Plans Dated April 15, 2022.**

Dear Commissioners:

The applicant, Infinity Homes is seeking to amend an existing PRD agreement for Cobblestone Creek Condominiums. The original condominium project received site plan and PRD approval in 2004 for the construction of a total of 258 units. The subject site has a total area of 117.06 acres, is zoned R-1A (Single Family Residential) district and located on the south side of Huron River Drive, east of Hoeft Road.

The site condominium development also received special land use approval to be located in the R-1A district per §7.02. A (old section number) of the Zoning Ordinance. Over the years the condominium was built upon but not completed. At this time Infinity Homes is proposing to add several structures to the development and requesting an amendment to the originally approved PRD. Our comments are as follows (items requiring changes or additional information are underlined):

COMMENTS

1. **PRD Eligibility and Layout.** Planned Residential Developments are permitted in the Township to encourage the use of land in accordance with its natural features and characteristics, to encourage innovation in land use planning, to provide recreational opportunities for the people of the Township, and to preserve rural features of the Township. In order to qualify for consideration as a PRD, the development must demonstrate innovative land use and site design and provide recognizable benefits to the people of the Township.

The originally approved plan included 154 detached and 104 attached units for a total of 258 units. The 104 detached units were split into Phases I and III spread out over 26 buildings, while the attached units were designated as Phase II. At this time only 12 of the buildings with 44 units have been constructed. ***The applicant proposes to construct a total of 52 units within 13 buildings, reducing the overall density by 8 units.***

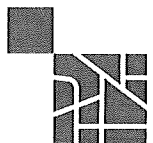
Chapter 2, Article 6 of the Zoning Ordinance outline the procedure for approval of PRD's. Per Section 6.219 and 6.221, approval of the amended PRD must follow the site plan and special land use approval procedures, unless the Planning Commission finds that the proposed changes constitute "minor changes" and thereby qualify for just site plan approval. The changes to the number of units and some additional deviations being sought are significant enough to constitute a major change requiring Planning Commission approval. Our comments on the proposed PRD amendment/special land use process are noted in a letter under separate cover.

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

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MCKA.COM

Communities for real life.

2. At the time of original plan approval, a minimum of 30% of the gross site area of a PRD was required to be preserved as permanent open space. The approved plan has 47.75 acres or 40.8% of dedicated open space on the site, which was mostly developed as an amenity connected through pedestrian pathway system. Per the amended plan the new 'area of development includes 6.88 acres, 41% (2.82 acres) of which is to be preserved as open space. This meets the minimum requirements previously established.
3. **Density.** The original PRD density calculations indicate 203 units would be permitted under conventional zoning (R-1A), and that up to 264 units may be permitted with the maximum allowed 30% density bonus. The approved plan with 258 units was within the 30% allowable bonus. The proposed amendment with 250 units, reduces the density further. A notation on the revised density bonus percentage must be included on the amended plan.
4. **Required Information.** Details required per Section 12.203 of the Zoning Ordinance has been noted.
5. **PRD Items.** The following PRD related items must be addressed:
 - a. Minimum required setback along an internal private road is 25 feet. Proposed building 8, 4 and 5 do not comply. The list of deviations listed on Sheet 1 references only building #8 with justification for requesting the deviation. The 25 foot setback requirement is for any yard, not just the front yard. The note must be revised to include building 4 and 5 and justifications for those too.
 - b. The minimum required floor area for units in the R-1A district is 1,800 sq. ft. At the time of original plan approval, most of the units complied with this requirement. A deviation was granted for some units to be 1,689 sq. ft (the minimum permitted). The applicant's proposal includes proposed unit sizes with area of 1,633 sq. ft and 1,266 sq. ft unit. The applicant is seeking a deviation.
 - c. Clarify if any additional deviations are being sought.
6. **Stormwater Detention and Engineering issues.** The proposed amendment to the PRD plan must comply with all requirements of Wayne County (if any) and the Township Engineer.
7. **Roads and Access.** The proposed PRD amendment does not alter the layout of streets within the approved PRD. A traffic study was required and approved as part of the original PRD approval. The reduction in the number of overall units does not necessitate a new traffic impact study.
8. **Sidewalks and Pedestrian Circulation.** The approved plan included 5-foot-wide sidewalks along both sides of all streets in the development. There is currently a partial sidewalk along the frontage of the buildings already constructed. The amended site plan notes a new 5' wide sidewalk along the frontage of the remaining internal roads abutting the new proposed buildings.
9. **Master Deed, Bylaws, and PRD Agreement.** The applicant has not submitted the required condominium and amended PRD documents at this time. The applicant must submit an amended Master Deed and PRD agreement for review prior to any approvals being granted.
10. **Landscaping.** The revised plan set submitted at this time includes detailed landscaping plans showing trees, shrubs and ornamental plantings in all the common/open spaces area, trees along the street frontages and landscaping specific to each building. No removal of any vegetation is proposed as part of the plan and the existing tree cover along the perimeter is to be maintained as is. While the applicant has



not provided a comparison with the originally approved landscape plan, the plan submitted at this time includes significant plantings to render an attractive appearance to the development. The plan includes a landscape maintenance agreement which references the "owner" as responsible for maintenance of all landscaping. Clarify the entity being referenced as "owner".

11. **Architecture.** The applicant has submitted architectural details for the proposed 4- and 6-unit buildings with floor plans. The proposed units are mostly single story with partial second story including just a bedroom. The external appearance of the structures is a ranch-style appearance.

Per Section 6.206 (B)(5) eighty percent (80%) of the front façade wall (excluding windows, doors, related trim) shall be faced with brick or stone, and all other exterior walls shall be faced with brick or stone from the finished grade to the top of the first story wall. The proposed elevation show the front façade of the structure constructed almost entirely of brick with cedar shake and vinyl siding above the decorative garage doors. The side and rear elevations include brick for the entire first story height and vinyl siding for the partial second story. The proposed architecture provides a different type of housing unit for those desirous of have living areas in a single floor. We recommend the incorporation of gable vents above the garages to create some detail in the expanse of siding.

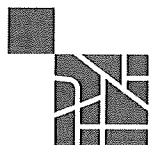
The original approval plan included side entry garages on every building. The proposed layout does not accommodate any side entry garages. Per original condominium approval, at least 30% of all units must have side-entry garages. We had previously recommended that the end units be provided with side entry garages to maintain consistency with the buildings already constructed; however, there is no such design proposed or explanation provided for non-compliance. The applicant will need a deviation from this standard too.

12. **Woodland/Tree Preservation.** The portion of the site that is under consideration for this amendment has no trees as seen on aerial images.

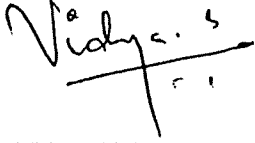
RECOMMENDATION

The existing PRD has remained incomplete for a long time. The applicant's proposal to complete the development by building additional units which will serve a specific market, completing the sidewalk network and installing landscaping is welcome. However, some of the site design items relative to amending the original PRD remain to be addressed. Therefore, we recommend approval of the preliminary amended PRD plan for the Cobblestone Creek Villas, subject to the following conditions:

1. Notation that setback deviation being requested for building 4 and 5 with justification.'
2. Submission of amended Master Deed and Bylaws for review.
3. Clarification regarding landscape maintenance.
4. Addition of architectural gable vent to the front faced of all units.
5. Submission of a plan showing provision of side entry garages as recommended above or notation of a deviation with explanation for why compliance cannot be achieved.
6. Revised PRD agreement.

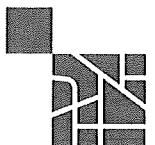


Respectfully,
McKENNA

A handwritten signature in black ink, appearing to read "Vidya Krishnan", with a horizontal line drawn across the middle of the signature.

Vidya Krishnan
Senior Principal Planner

cc: Dan Power, Director of Planning and Economic Development
Paul J. Kammer, FTCH, Township Engineers
Andy Leneghan, Van Buren Township Fire Marshal





VAN BUREN
CHARTER TOWNSHIP

MEMO

TO: Van Buren Township Planning Commission
FROM: Dan Power– Director of Planning and Economic Development
RE: Case 21-044 – Cobblestone Creek Villas PRD Amendment
DATE: June 3, 2022

The Planning Commission will review the request by applicant Infinity Acquisitions, LLC on behalf of owner C.A. Kime, Inc. for preliminary approval to amend a phase of the 117.06-acre Cobblestone Creek Planned Residential Development (PRD) titled Cobblestone Creek Villas. The site is zoned R-1A (Single Family Residential District) and is located on the south side of Huron River Drive, east of Hoeft Road.

The Cobblestone Creek Villas phase of the broader Cobblestone Creek PRD is a phase of attached condominium housing units which is currently approved to include 104 attached units in 26 buildings. The proposed PRD as amended will include 96 units (including 44 units already constructed and 52 units proposed) in 25 buildings (including 12 two-story buildings already constructed and 13 single-story buildings proposed). The area subject to this request includes 6.88 acres located on Chinkapin Drive and Pinewood Lane between 13687 Pinewood Lane (parcel ID number V-125-83 114 02 0067 000) and 13957 Chinkapin Drive (parcel ID number V-125-83 114 02 0028 000).

This project will be a general revision to a previously approved Planned Residential Development (PRD). Per Section 6.221 (A) of the Van Buren Township Zoning Ordinance, a PRD may be revised in accordance with the approval procedures for a PRD, which includes proceeding in the same manner as other special use applications. Special land use applications require a public hearing per the procedures outlined in Article 12, Chapter 6 of the Van Buren Township Zoning Ordinance.

In addition to comments offered by other staff, I offer the following **procedural comments** and miscellaneous **conditions** to assist the Planning Commission in making a determination regarding the requested modifications.

Procedural comments:

PRD and Condominium Requirements and First Meeting Actions

PRD Requirements. As a general revision to an approved PRD, this project will require the following, based on the procedures outlined in Section 6.221 (A) (Revisions to Approved Plans) and 6.219 (Approval Procedures) of the Township Zoning Ordinance:

- Determination of eligibility.
- Approval of preliminary plan and modifications.
- Approval of final plan and modifications.

Approval of a PRD application shall proceed in the same manner as other special use applications, including holding a public hearing, recommendation by the Planning Commission and approval by the Township Board of Trustees pursuant to Article 12, Chapter 3.

Condominium requirements. The project is also a **condominium** and is therefore subject to the approval procedures listed in Article 6, Chapter 1 of the Van Buren Township Zoning Ordinance. The area being altered by the applicant is proposed to be separated into its own 6.88-acre condominium site. Per Section 6.104 of the Van Buren Township Zoning Ordinance, the project is subject to site plan review.

For the Planning Commission's information, "condominium" and "PRD" terminology speak to two different aspects of a single project. "Condominium" speaks to a type of land division, distinct from a simple "metes-and-bounds land division" or a "plat", which results in multiple owners of building units within a development holding some or all of the surrounding land and site infrastructure in common ownership. Condominiums are often but not always PRDs. PRD refers to a zoning option by which a development site can achieve modifications to certain zoning requirements by meeting certain criteria that contribute to the overall quality and cohesion of the project.

First Meeting Actions. The Planning Commission will have three (3) key requests at their first meeting regarding this revised project:

1. Hold a public hearing as required under Sections 6.221(A), 6.219, and.
2. Consider recommending special land use approval to the Board of Trustees as required under Sections 6.221(A), 6.119, and Article 12, Chapter 6.
3. Consider recommending preliminary plan approval as required under Sections 6.104 and 6.219.

Conditions

In addition to the other staff comments included in this packet, I offer the following recommended conditions of preliminary plan approval, which are based on general zoning requirements for attached condominium units, discussions with the Township Fire Marshal regarding fire access, and procedural requirements for condominium projects:

- Prior to final plan approval, a written response from the Director of Planning, Township attorney, Township engineer and Township planner regarding the adequacy of the master deed, deed restrictions, utility systems and street, development layout and design and compliance with all requirements of the condominium act and Township Zoning Ordinance will be provided to the Planning Commission, per Section 6.110 of the Van Buren Township Zoning Ordinance.
- As part of the final plans, master deed, and amended PRD Agreement for the project, mailboxes and fire hydrants shall be placed on the same side of the street, and on street parking shall be limited to only the one (1) side of the street opposite these items.
- Per Section 6.113 (Attached Residential Condominium Units), the attached units must comply with all applicable requirements of Section 5.116 (Dwelling, Single-Family Residential Attached).

- Final plan and engineering approval are subject to the approval of the Township Engineer.

I look forward to assisting with this review. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Power". The signature is fluid and cursive, with the first name "Dan" and last name "Power" clearly distinguishable.

Dan Power, AICP
Planning and Economic Development Director
Public Services Department
Charter Township of Van Buren

CC: Rino Soave and Liz Thomas, Infinity Acquisitions, Inc.

June 3, 2022
Fishbeck Project No. 200997

Dan Power
Director of Planning and Economic Development
Van Buren Township
46425 Tyler Road
Van Buren Township, MI 48311

Cobblestone Creek Condominiums – Revised Phase 2 Engineering Review

Dear Director Power:

At the request of Van Buren Township (Township), Fishbeck has reviewed the proposed Cobblestone Creek Condominium Revised Phase 2 Site Plan for engineering feasibility of the Township's Preliminary Site Plan and Special Land Use approval. The original plans were approved by the Township on May 18, 2004, with the most recent submitted plans being dated 4/15/2022, with a revision to sheet #3 on 5/25/2022.

The project entails the construction of the remainder of Phase 2 of the proposed Cobblestone Creek Condominiums at the south side of Huron River Drive between Hoeft Road and Elwell Road. The existing Phase 2 site, as originally approved and partially constructed in 2004, has 12 buildings built (44 units). The remainder of Phase 2 was initially designed for 14 additional buildings (60 units), which is now seeking approval of an amended design for 13 buildings (52 units). The presumption is all underground utilities, as approved in 2004, have been installed and are operational within the footprint of Phase 2. This includes the stormwater system, the water distribution system, and the sanitary sewer system. The plans do proposed to add a single segment of storm sewer and a yard catch basins to help with some rear yard drainage. The other site improvements that remain to be constructed include the proposed sidewalks and other various items. Our review comments are as follows:

General

The following items are general requirements established as part of the Engineering Standards Manual, Charter Township of Van Buren (April 2014). The applicant must include the following items as part of the construction plans:

1. In general, any changes to the previously approved plans must be indicated on the plans and clearly shown how they are changing. This includes, but is not limited to the following:
 - a. All easements, proposed, existing, or changing, must be indicated on the plans.
 - b. All elevations must be on National Geodetic Vertical Datum 29 (NGVD 29) datum or include a conversion factor to the NGVD 29 datum.
 - c. Applicant must indicate the existing overland flow route through the Phase 2 site, as originally approved, and indicate any changes and adjustments with the new building layout.
2. Plans must include the following required notes:
 - a. All construction shall conform to the current standards, specifications, and general conditions of the Township.
 - b. The applicant is responsible for resolving any drainage problems on adjacent properties which are the result of the applicant's actions.
3. For final engineering approval, all new utility work must be done in accordance with the Township Standards and must include all information for a full engineering review. These include, but are not limited to:
 - a. A quantity list itemizing all proposed public sanitary sewer, storm sewer, and water main construction must appear on each sheet indicating such construction. A quantity list indicating the total quantities of construction for the entire project must also be provided.

- b. Profiles must be included for all utility work except for the sanitary service leads.
- c. Provide any previous and/or new soil boring information, including the ground water elevations of this area.
- d. Engineering Plans must include the applicable Standard Detail Drawings as found in Appendix A of the Township *Engineering Standards Manual*. The Township can provide full size sheets of multiple details upon request.

Water Main Service

Existing: The Township's Geographic Information System (GIS) records indicate a publicly owned 8-inch Ductile Iron water main running along Pinewood Lane and Chinkapin Drive.

Proposed: The applicant's plan confirms that all water main was constructed as part of the original phase 2 project. No additional public water main will be constructed as part of this project. Proposed service lead locations are shown. It is unclear if existing service leads were previously installed.

Comments:

1. The applicant must indicate whether the previous service leads were installed.
2. The existing and proposed water main service sizes, materials, and connections must be indicated on the plans.
3. The applicant must work with the Township Fire Marshal to determine if any of the hydrant locations need to be adjusted due to the new layout of the buildings.
4. Plans must indicate if the hydrant FG shown is existing or if the hydrants will be adjusted to match new grade.
5. If not already executed and recorded, a 12-foot easement for existing and proposed, if any, water main within the property must be granted, centered on the water main, including bends, valves, and hydrants.

Sanitary Sewer

Existing: The Township's GIS records indicate there is a public 10-inch truss pipe sanitary sewer along Chinkapin Drive and a public 12-inch truss pipe sanitary sewer along Pinewood Lane within the area of the development.

Proposed: The applicant's plan confirms that all sanitary sewer was constructed as part of the original phase 2 project. The sanitary layout shown in the plans appears to match the system from the previously approved set in 2004. The plans also indicate that there is an existing sanitary sewer lead available for each proposed building.

Comments:

1. The existing and proposed sanitary sewer service sizes, materials, and connection types must be shown on the plans.
2. The proposed engineering plans must indicate if any of the existing sewer leads will need to be adjusted and/or replaced due to location.
 - a. When developing the new service lines, the applicant shall keep in mind a clean-out on service leads shall be provided within 5 feet of foundation walls, at all bends and at intervals no greater than 100 feet. A minimum of one clean-out external to the building shall be required on all sanitary leads.
3. If not already executed and recorded, a 20-foot easement for existing and proposed sanitary sewer within the property must be granted and centered on the sewer.

Storm Sewer

Existing: The Township's GIS records indicate an existing storm sewer system constructed as part of the original development for Phase 1 and Phase 2.

Proposed: The applicant's plans show the existing system captures runoff within Phase 2 of the development via catch basins and rear yard drains and conveys it into a forebay and existing detention basin east of Chinkapin Drive. The applicant's plan confirms that all storm sewer and storm management aspects of the site were constructed as part of the original phase 2 project. The applicant has provided drainage calculations confirming

that the existing basin size and functionality will remain with the new building layout. The proposed impervious area is less than that of the existing impervious area originally designed for.

Comments:

1. The Applicant has obtained Wayne County approval via an approval letter dated December 5, 2003.
2. With no changes to the functionality of the storm water management system, no additional approval is needed for detention.
3. The proposed storm sewer line and rear yard catch basin must be shown in profile view.
4. Applicant must explain the area to the west of buildings 5, 6, and 7. The area shows multiple catch basins located in an existing "Wooded" area. The plans need to more clearly indicate what this area looks like; wooded or cleared. The applicant must also indicate whether or not this Proposed Cleared Area was calculated as part of the storm water collection area.

Paving and Sidewalks

1. The applicant must verify the overall status of the existing HMA roadways. If the final layer of the roadways has not been paved, the applicant will be responsible for conducting any repair or maintenance on the existing roadway prior to placing the final HMA surface layer.
2. Any sidewalk areas that are considered community sidewalks, or will not be the responsibility of the builder, will be required to be completed by the applicant.
3. Further discussion with the Township Planning Director should be conducted to finalize the requirements for CoFo and other obligations for the complex.

Soil Erosion and Sedimentation Control (SESC)

1. An SESC plan must be provided in accordance with the Township *Engineering Standards Manual*, Chapter II, Plan Requirements, Paragraph D, SESC Plan Requirements, and in accordance with Wayne County SESC standards. A permit must be acquired from the Wayne County SESC County Enforcing Agency.
<https://www.waynecounty.com/departments/environmental/landresources/soil-erosion.aspx>

Recommendation

Fishbeck offers no objection to the applicant moving forward to the Final Site Plan and Engineering approval process, subject to the applicant determining the proper course of action for the comments listed above and submittal of all existing and proposed features that have changed or are new to the site, prior to the next submittal to the Township.

Sincerely,



Paul J. Kammer, PE
Senior Civil Engineer

By email

Copy: Kris Schlutow – Township
Brittney Williams – Township
Vidya Krishnan – McKenna